

REMARKS

At the outset, Applicants point out that this Amendment replaces the Amendment mailed December 15, 2009. Due to a printing malfunction, the Amendment mailed December 15, 2009 contained two pages of claims 28 and 29 and no pages containing 30-34, thus resulting in an incomplete claim set. Applicants submit that the amendment presented herewith provides a complete set of claims in the application, as well as the same arguments presented in the amendment mailed December 15, 2009.

Claims 1-3, 5-33, 35-41, 47, 49, 52-54, 56, 58, and 59 remain in the application for consideration. Claims 1, 21, 28, 29, and 33 are herein amended. Claims 4, 34, 42-46, 48, 50, 51, 55, and 57 are herein cancelled. No new matter is added.

Rejections Moot or Withdrawn

Applicants note with appreciation the indication of mootness or withdrawal of previous rejections outlined in paragraphs 3-20 of the present office action.

Claim Objections

Claims 28 and 29 were objected to as being in improper multiple dependent form. Applicants herein amend claims 28 and

29 to incorporate the definitions from claim 1 to overcome the objections based on improper multiple claim dependency.

Applicants now submit that these objections are overcome.

Rejections Under 35 USC §112

Claim 33 was rejected under 35 USC §112, Second Paragraph as being indefinite with respect to the phrase "corresponds to". To address the rejection, Applicants herein amend claim 33 to delete "which is related to a domain of staphylococcal protein A (SPA) in that the sequence of the polypeptide corresponds to the sequence of the SPA domain" and insert "wherein the sequence of the polypeptide comprises the sequence of a protein Z, as set forth in SEQ ID NO:1". Applicants submit that this amendment overcomes this rejection.

Claim 55 was rejected under 35 USC §112, Second Paragraph as being indefinite with respect to the phrases "positive" and "negative". Applicants herein cancel claim 55, and now submit that this rejection is moot.

Claims 1-3, 5-41, 47, 49, 52-56, 58 and 59 were rejected under 35 USC §112, Second Paragraph as being indefinite with respect to the phrase "derived from". To address the rejection, Applicants herein delete the phrase "derived from domain B of

Filed: May 12, 2006

staphylococcal protein A (SPA)" from claims 1 and 21.

Applicants now submit that this rejection is overcome.


If the Examiner has any questions concerning this application, he is encouraged to contact the undersigned attorney.

Please charge any fees due with this response to Deposit Account 23-1665 under Customer Number 27267.

Respectfully submitted,

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Date: 17 DEC 2009